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U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

ABRAHAM ROLANDO DIAZ PEREZ,

Petitioner,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-76396

Agency No. A96-364-692

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 10, 2006^{**}

Before: KOZINSKI, RYMER and PAEZ, Circuit Judges.

We have reviewed the petition for review, the stay motion, and the record. Respondent's unopposed motion for summary disposition is granted because the questions raised by this petition for review are so insubstantial as not to require

^{*} This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

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further argument. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (per curiam) (stating standard). Petitioner cannot prove his “removal would result in exceptional and extremely unusual hardship to the alien’s spouse, parent, or child, who is a U.S. citizen or lawful permanent resident.” as required under 8 U.S.C. § 1229b(b) because petitioner had no qualifying relatives at the time of the hearing. Accordingly, this petition for review is denied.

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

PETITION FOR REVIEW DENIED.